

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN GERALD PEASE**, on February 22, 2007 at 3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Gerald Pease, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. Roy Brown (R)  
Sen. John Brueggeman (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jesse Laslovich (D)  
Sen. Frank Smith (D)  
Sen. Donald J. Steinbeisser (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Andrew Geiger, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

|                        |  |
|------------------------|--|
| Hearing & Date Posted: | SB 469, 2/15/2007; SB 520,<br>2/15/2007; SB 516, 2/15/2007; SB<br>493, 2/15/2007 |
| Executive Action:      | SB 469, SB 449, SB 516, SB 520, SB<br>493  |

00:02:44

**HEARING ON SB 469**

**Opening Statement by Sponsor:**

00:04:11 SEN. VICKI COCCHIARELLA (D), SD 47, opened the hearing on SB 469, Revise tire law.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

00:05:33 Sen. John Brueggeman to Barry "Spook" Stang, Montana Motor Carriers Association

**Closing by Sponsor:**

00:06:22 Sen. Cocchiarella

**EXECUTIVE ACTION ON SB 469**

00:06:59 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 469 BE TABLED. Motion carried unanimously by voice vote. SEN. LASLOVICH was excused.

**HEARING ON SB 520**

**Opening Statement by Sponsor:**

00:07:43 SEN. CAROLYN SQUIRES (D), SD 48, opened the hearing on SB 520, Revise registration of fleet vehicles.

**Proponents' Testimony:**

00:14:40 Linda Stoll, Missoula County

**Opponents' Testimony:**

00:16:27 Robert Ward, Executive Vice President, Enterprise Rent-A-Car

00:17:28 Frank Cote, Montana Car Rental Association (MCRA)

**Informational Testimony:**

00:20:29 Brenda Nordlund, Motor Vehicle Division, Montana  
Department of Justice (DOJ)

00:21:38 Michael O'Brian, Office of the Honorable Secretary of  
State Brad Johnson

**Questions from Committee Members and Responses:**

00:22:08 Sen. Cocchiarella to Mr. Ward, Enterprise Rent-A-Car

00:23:02 Sen. Cocchiarella to Mr. Cote, MCRA

00:24:51 Sen. Roy Brown to Sen. Squires

**Closing by Sponsor:**

00:27:15 Sen. Squires

**HEARING ON SB 516**

**Opening Statement by Sponsor:**

00:29:21 **SEN. JERRY BLACK (R), SD 14**, opened the hearing on **SB  
516**, Create minimum renewable biodiesel standards.

**Proponents' Testimony:**

00:41:27 Matt Leow, MontPIRG

00:44:18 Sarah Cobler, Montana Conservation Voters

00:47:52 Rick Moore, Northern Plains Resource Council

00:51:01 Pat Torgerson, Wives Involved in Farm Economics (WIFE)

**Opponents' Testimony:**

00:51:36 Tad Dale, Vice President of Human Resources, Montana  
Resources

**EXHIBIT(his40a01)**

01:00:19 Jason Todhunter, Montana Logging Association

01:03:29 Dave Galt, Montana Petroleum Association (MPA)

01:07:21 Debbie Shea, Montana Mining Association

**Informational Testimony:**

01:08:09 Barbara Ranf, Burlington Northern Santa Fe Railroad  
(BNSF)

01:08:33 Brian Spangler, Montana Department of Environmental  
Quality (DEQ)

01:08:54 Barry "Spook" Stang, Montana Motor Carriers Association

**Questions from Committee Members and Responses:**

01:09:23 Sen. Frank Smith to Mr. Galt, MPA

01:11:12 Sen. Smith to Sen. Black

01:13:25 Sen. Smith to Ms. Cobler, Montana Conservation Voters  
rereferred to Mr. Spangler, DEQ

01:14:58 Sen. Brown to Sen. Black

01:19:06 Sen. Cocchiarella to Sen. Black

**Closing by Sponsor:**

01:23:43 Sen. Black

**HEARING ON SB 493**

**Opening Statement by Sponsor:**

01:29:42 **SEN. SAM KITZENBERG (D), SD 18**, opened the hearing on  
**SB 493**, Oil and gas revenue to fund 4 lanes for highway  
2.

**EXHIBIT**(his40a02)

**Proponents' Testimony:**

01:44:24 Bob Sivertsen, President, Highway 2 Association

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:49:11 Sen. Don Steinbeisser to Sen. Kitzenberg

**Closing by Sponsor:**

01:52:16 Sen. Kitzenberg

**EXECUTIVE ACTION ON SB 449**

01:53:32 **Motion:** SEN. COCCHIARELLA moved that SB 449 DO PASS.

01:53:43 **Motion:** SEN. COCCHIARELLA moved that #SB044901.AAG DO PASS.

**EXHIBIT**(his40a03)

**Discussion:**

01:53:45 Andrew Geiger, Research Analyst, Legislative Services

01:56:23 Sen. Smith to Mr. Geiger, LSD

01:56:56 Sen. Brown to Mr. Geiger, LSD

01:57:17 Sen. Smith

01:57:38 **Vote:** Motion #SB044901.AAG DO PASS carried unanimously by voice vote.

01:57:58 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 449 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 516**

01:59:10 **Motion:** SEN. BLACK moved that SB 516 DO PASS.

**Discussion:**

01:59:51 Mr. Geiger, LSD

02:00:36 Sen. Cocchiarella

02:01:15 Sen. Black

02:01:40 Sen. Cocchiarella

02:02:27 Sen. Steinbeisser

02:03:05 Sen. Smith  
02:03:54 Sen. Brown to Sen. Steinbeisser  
02:06:33 Sen. Smith  
02:07:15 Sen. Black  
02:09:39 Sen. Smith  
02:10:06 Sen. Steinbeisser  
02:10:52 Sen. Gerald Pease  
02:11:37 **Vote: Motion that SB 516 DO PASS carried 7-2 by voice vote with SEN. BROWN and SEN. COCCHIARELLA voting no.**

**EXECUTIVE ACTION ON SB 520**

02:13:07 **Motion: SEN. SMITH moved that SB 520 DO PASS.**  
02:13:20 **Substitute Motion/Vote: SEN. BRUEGGEMAN made a substitute motion that SB 520 BE TABLED. Substitute motion carried unanimously by voice vote.**

**EXECUTIVE ACTION ON SB 493**

02:14:02 **Motion: SEN. KITZENBERG moved that SB 493 DO PASS.**  
02:14:13 **Motion/Vote: SEN. KITZENBERG moved that #SB049301.AAG DO PASS. Motion carried unanimously by voice vote.**

**EXHIBIT**(his40a04)

02:15:05 **Motion: SEN. KITZENBERG moved that SB 493 DO PASS AS AMENDED.**

**Discussion:**

02:15:47 Sen. Steinbeisser  
02:16:00 Sen. Kitzenberg  
02:16:46 Sen. Jesse Laslovich to Sen. Kitzenberg  
02:20:02 Sen. Brown

02:22:03 Sen. Smith

02:22:45 Sen. Brueggeman

02:24:06 Sen. Kitzenberg

02:25:08 **Motion/Vote:** SEN. KITZENBERG moved that CONCEPTUAL AMENDMENT DO PASS. Motion carried unanimously by voice vote.

**Discussion:**

02:25:39 Mr. Geiger, LSD

02:25:54 Sen. Kitzenberg

02:26:10 **Motion/Vote:** SEN. KITZENBERG moved that SB 493 DO PASS AS AMENDED. Motion failed 4-5 by roll call vote with SEN. BLACK, SEN. KITZENBERG, SEN. LASLOVICH, and SEN. SMITH voting aye.

02:27:47 **Motion:** SEN. LASLOVICH moved that SB 493 BE TABLED AND THE VOTE REVERSED.

**ADJOURNMENT**

Adjournment: 5:30 A.M.

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SEN. GERALD PEASE, Chairman

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LOIS O'CONNOR, Secretary

GP/lo

Additional Exhibits:

**EXHIBIT ([his40aad.pdf](#))**